IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

MONDAY, THE 25TH JUNE 2007 / 4TH ASHADHA 1929

WP(C).No. 15575 of 2007(D)

PETITIONERS:

1. LATHEEFA BEEVI.I., JUNIOR PUBLIC HEALTH NURSE, PHC VENGARA, MALAPPURAM DISTRICT.

2. PUSHPA.K., JUNIOR PUBLIC HEALTH NURSE, PHC VENGARA, MALAPPURAM DISTRICT.

3. SUDHA.T.K., JUNIOR PUBLIC HEALTH NURSE, PHC VENGARA, MALAPPURAM DISTRICT.

4. KOMALAVALLY.K., JUNIOR PUBLIC HEALTH NURSE, PHC EDAVANNA, MALAPPURAM DISTRICT.

5. NAFEESA.A., JUNIOR PUBLIC HEALTH NURSE, PHC NEDIYIRUPPU, MALAPPURAM DISTRICT.

6. K.NAFEESA, JUNIOR PUBLIC HEALTH NURSE, PHC KUZHIMANNA, MALAPPURAM DISTRICT.

7. USHAKUMARI.P., JUNIOR PUBLIC HEALTH NURSE, PHC KONDOTTY, MALAPPURAM DISTRICT.

BY ADV. SRI.G.KRISHNAN
SRI.M.P.GANGADHARAN
SMT.T.V.NEEMA

RESPONDENTS:

1. STATE OF KERALA, REPRESENTED BY THE SECRETARY TO GOVERNMENT, DEPARTMENT OF HEALTH AND FAMILY WELFARE, SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DIRECTOR OF HEALTH SERVICES, THIRUVANANTHAPURAM.

3. THE DISTRICT MEDICAL OFFICER OF HEALTH, MALAPPURAM DISTRICT.

BY GOVERNMENT PLEADER SRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 25/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 15575 of 2007(D)

APPENDIX

PETITIONER'S EXHIBITS:

EXHIBIT-P1: TRUE COPY OF THE JUDGMENT DATED 14-12-2006 IN W.P.(C) NO.27119/2006 OF THIS HON'BLE COURT

EXHIBIT-P2: TRUE COPY OF THE REPRESENTATION DATED 12-4-2007 SUBMITTED BY THE 1ST PETITIONER BEFORE THE 3RD RESPONDENTS

EXHIBIT-P3: TRUE COPY OF THE REPRESENTATION DATED 12-4-2007 SUBMITTED BY THE 2ND PETITIONER BEFORE THE 3RD RESPONDENT

EXHIBIT-P4: TRUE COPY OF THE REPRESENTATION DATED 12-4-2007 SUBMITTED BY THE 3RD PETITIONER BEFORE THE 3RD RESPONDENT

EXHIBIT-P5: TRUE COPY OF THE REPRESENTATION DATED 27-4-2007 SUBMITTED BY THE 4TH PETITIONER BEFORE THE 3RD RESPONDENT

EXHIBIT-P6: TRUE COPY OF THE REPRESENTATION DATED 27-4-2007 SUBMITTED BY THE 5TH PETITIONER BEFORE THE 3RD RESPONDENT

EXHIBIT-P7: TRUE COPY OF THE REPRESENTATION DATED 27-4-2007 SUBMITTED BY THE 6TH PETITIONER BEFORE THE 3RD RESPONDENT

EXHIBIT-P8: TRUE COPY OF THE REPRESENTATION DATED 5-5-2007 SUBMITTED BY THE 7TH PETITIONER BEFORE THE 3RD RESPONDENT

/TRUE COPY/

P.A. TO JUDGE

K.BALAKRISHNAN NAIR, J.

W.P.(C) No.15575 of 2007-D

Dated this the 25th day of June, 2007.

J U D G M E N T

The petitioners are Junior Public Health Nurses, working under the respondents. They joined the said post, on the advice of the Public Service Commission, before 1-10-1994. All of them are having provisional service, prior to their regular appointment. They submit, their provisional service may be reckoned, for grant of increments. Raising this claim, they have preferred Exts.P2 to P8 representations. They submit, their claim is squarely covered by Ext.P1 judgment.

2. The learned Government Pleader, upon instruction, submitted that those representations are received and pending and their claim regarding entry into service before 1-10-1994 is correct.

3. In view of the above position, the third respondent is directed to forward the afore-mentioned representations, to the first respondent, along with his comments, within one month from the date of receipt of a copy of this judgment. On receipt of the said files from the third respondent, the first respondent will consider and pass orders on them, in accordance with law, taking into account Ext.P1 judgment also, within three months from the date of receipt of the same.

The Writ Petition is disposed of as above.

K.BALAKRISHNAN NAIR,
JUDGE.

MS